**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR**

**WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928**

**WP(C).No. 4726 of 2007(K)**

**OA.225/2003 OF DEBT RECOVERY TRIBUNAL, ERNAKULAM**

**PETITIONER:**

**M/S.A&R AGENCIES, ERAMALLOOR,**
**ALAPPUZHA, REPRESENTED BY ITS MANAGING PARTNER,**
**N.K.AHAMEDKUTTY.**

**BY ADV. SRI.THOMAS T.VARGHESE**
**SRI.N.SASI**

**RESPONDENTS:**

**1. UNION OF INDIA, REPRESENTED BY THE SECRETARY, MINISTRY OF FINANCE, NEW DELHI.**

**2. DEBT RECOVERY TRIBUNAL, 5TH FLOOR, K.S.H.B.BUILDING, PANAMPALLY NAGAR, ERNAKULAM.**

**3. RECOVERY OFFICER, DEBT RECOVERY TRIBUNAL 8TH FLOOR, K.S.H.B. BUILDING, PANAMPALLY NAGAR, ERNAKULAM.**

**4. CORPORATION BANK, EZHUPUNNA BRANCH, ALAPPUZHA.**

**BY ADV. SRI.T.SANJAY, CGC**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**WP(C) NO: 4726/2007 K**

**APPENDIX**

**PETITIONER'S EXHIBITS**

**EXT.P1. COPY OF THE JUDGMENT IN OA NO. 225/03 DT. 15/7/2004.**

**EXT.P2. COPY OF THE JUDGMENT IN WPC NO. 6051/2006 DT. 1/3/06.**

**EXT.P3. COPY OF THE MINUTES.**

**EXT.P4. COPY OF THE PROCLAMATION DT. 26/10/2006.**

**EXT.P5. COPY OF THE IA NO. 280/07 DT. 8/2/2007.**

**EXT.P6. COPY OF THE LETTER BY THE MPEDA DT. 25/11/2005.**

*True copy*

**tga**

**K.BALAKRISHNAN NAIR,J.**

---

WP(C)NO.4726 OF 2007-K

---

Judgment

The petitioner was constrained to approach this Court as the DRT was not sitting and his property was sought to be sold in public auction on 13.02.2007. He submits, the sale did not take place on the said date and now, the DRT is going to commence regular sitting with effect from 19.03.2007. Accordingly, the Writ Petition is closed without prejudice to the contentions of the petitioner.

14.03.2007 **K.BALAKRISHNAN NAIR,JUDGE**

sta